

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

DIETRICH et al.

Serial No. 10/797,580

Filed: March 11, 2004

Title: COATED ARTICLE WITH LOW-E COATING INCLUDING IR REFLECTING LAYER(S) AND CORRESPONDING METHOD

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Atty Dkt. 3691-661

C# M#

TC/A.U.: 1771

Examiner: Piziali, Andrew T.

Date: October 23, 2006



AF&
SPW

Sir:

Correspondence Address Indication Form Attached.

NOTICE OF APPEAL

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner twice/finally rejecting \$500.00 (1401)/\$250.00 (2401) \$ 500.00 applicant's claim(s).

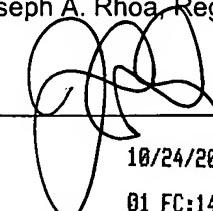
- An appeal **BRIEF** is attached in the pending appeal of the above-identified application \$500.00 (1402)/\$250.00 (2402) \$
- Credit for fees paid in prior appeal without decision on merits -\$ ()
- A reply brief is attached in triplicate under Rule 41.41 (no fee)
- Pre-Appeal Brief Request for Review form attached.
- Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s)
- | | |
|------------------------|--|
| One Month Extension | \$120.00 (1251)/\$60.00 (2251) |
| Two Month Extensions | \$450.00 (1252)/\$225.00 (2252) |
| Three Month Extensions | \$1020.00 (1253)/\$510.00 (2253) |
| Four Month Extensions | \$1590.00 (1254)/\$795.00 (2254) \$ 120.00 |
- "Small entity" statement attached.
- Less month extension previously paid on -\$ ()
- TOTAL FEE ENCLOSED** \$ 620.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.

By Atty: Joseph A. Rhoa Reg. No. 37,515

Signature: 

10/24/2006 SZENDIE1 00000055 10797580

01 FC:1401
02 FC:1251

500.00 OP
120.00 OP